

## JUDICIARY

[illegible]



## SENATE STANDING COMMITTEE REPORT

January 30, 2007

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 193** (first reading copy -- white) do pass as amended.

Signed: 

*Senator Jesse Laslovich, Chair*

And, that such amendments read:

1. Title, line 6.

**Following:** "HOME;"

**Insert:** "REQUIRING THE AFFIDAVIT TO BE PROVIDED TO THE PARENTS AT THE SAME TIME, IF POSSIBLE;"

2. Page 2, line 11.

**Following:** "of the"

**Insert:** "emergency"

**Following:** "attorney"

**Insert:** "and provide a copy of the affidavit to the parents or guardian, if possible,"

3. Page 2, line 12.

**Following:** "the"

**Insert:** "emergency"

4. Page 2, line 13.

**Following:** "holidays, of"

**Insert:** "the"

**Following:** "emergency"

**Strike:** "placement"

**Insert:** "removal"

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required     

*K7*

201323SC.ssc



## SENATE STANDING COMMITTEE REPORT

January 30, 2007

Page 1 of 2

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 322** (first reading copy -- white) do pass as amended.

Signed:

*[Signature]*  
Senator Jesse Laslovich, Chair

And, that such amendments read:

1. Title, line 7.

**Following:** "YEARS"

**Insert:** "IN CERTAIN CASES"

2. Page 2, line 3.

**Following:** "years"

**Insert:** "if the offender received a felony conviction under 61-7-103"

3. Page 2, line 18.

**Following:** "(2)"

**Insert:** "(a)"

**Strike:** "A"

**Insert:** "Except as provided in subsection (2)(b), a"

4. Page 2, line 19.

**Following:** "imprisonment"

**Strike:** "in the state prison"

**Following:** "term"

**Insert:** "of"

5. Page 2, line 19 through line 20.

**Following:** "year" on line 19

**Strike:** remainder of line 19 through "years" on line 20

**Insert:** "less than 30 days or more than 1 year"

6. Page 2, line 20.

**Following:** "\$5,000"

Committee Vote:

Yes 12, No 0

Fiscal Note Required   *KI*  

201439SC.ssc

**Strike:** "in an amount not to exceed \$50,000"

**Insert:** "of not less than \$100 or more than \$5,000"

7. Page 2, line 22.

**Following:** line 21

**Insert:** "(b) If the accident resulted in serious bodily injury or death of any person, a driver failing to stop or to comply with the requirements of subsection (1) shall upon conviction be punished by imprisonment in the state prison for a term of not less than 1 year or more than 10 years, by a fine in an amount not to exceed \$50,000, or by both fine and imprisonment."

- END -



## SENATE STANDING COMMITTEE REPORT

January 30, 2007

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 74** (first reading copy -- white) do pass as amended.

Signed: 

*Senator Jesse Daslovich, Chair*

And, that such amendments read:

1. Page 2, line 12.

**Following:** line 11

**Insert:** "(5) This part does not apply to a person who makes less than four loans a year and complies with the provisions of Title 31, chapter 1, part 1."

2. Page 3, line 7.

**Following:** "suspension --"

**Insert:** "unlicensed activity --"

3. Page 3, line 25.

**Following:** "justified the"


**Strike:** "department refusing"

**Insert:** "department's refusal"

- END -

Committee Vote:

Yes 11, No 1

Fiscal Note Required \_\_\_\_ 

201501SC.ssc



## SENATE STANDING COMMITTEE REPORT

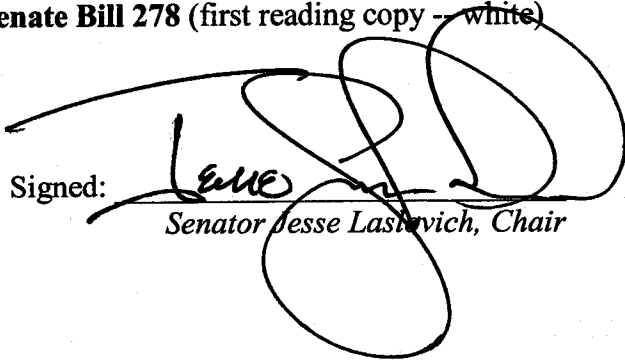
January 30, 2007

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 278** (first reading copy -- white) do pass as amended.

Signed:

  
Senator Jesse Lastovich, Chair

And, that such amendments read:

1. Page 1, line 16.

**Following:** "or a"

**Insert:** "public or"

2. Page 1, line 30.

**Following:** "or"

**Insert:** "public or"

3. Page 2, line 3.

**Following:** "or a"

**Insert:** "public or"

4. Page 2, line 9.

**Following:** "or"

**Insert:** "public or"

5. Page 2, line 12.

**Following:** "or "

**Insert:** "public or"

6. Page 2, line 15.

**Following:** "or a"

**Insert:** "public or"

7. Page 2, line 26.

**Following:** "or"

**Insert:** "public or"

- END -

Committee Vote:

Yes 8, No 4

Fiscal Note Required      *K7*

201205SC.spb

*for envelope*

## COMMITTEE FILE COPY

### TABLED BILL

The **SENATE JUDICIARY COMMITTEE** TABLED **SB 327**, by motion, on **Tuesday, January 30, 2007**.

*Carol Andersen*  
(For the Committee)

*KJ*  
(Secretary of the Senate)

           / *1-30*  
(Time)                      (Date)

January 30, 2007

Carol R. Andersen, Secretary

Phone: 444-4697

MONTANA STATE SENATE  
2007 LEGISLATURE

JUDICIARY

ROLL CALL VOTE

DATE 1-30-07 BILL NO. 193 NUMBER \_\_\_\_\_

MOTION: Roll call as amended

NAME	AYE	NO
SEN. LYNDA MOSS (D)	✓	
SEN. DAN MCGEE (R)	✓	
SEN. CAROL WILLIAMS (D)	✓	P
SEN. CAROL JUNEAU (D)	✓	
SEN. GERALD PEASE (D)	✓	
SEN. JIM SHOCKLEY (R)	✓	
SEN. AUBYN CURTISS (R)	✓	
SEN. JERRY O'NEIL (R)	✓	
SEN. LARRY JENT (D)	—	
SEN. GARY PERRY (R)	✓	
SEN. DAVID WANZENRIED (D)	✓	P
SEN. JESSE LASLOVICH (D) CHAIRMAN	✓	
	11	0
VALENCIA LANE, LSD		
CAROL ANDERSEN, COMMITTEE SECRETARY		



MONTANA STATE SENATE  
2007 LEGISLATURE

JUDICIARY

ROLL CALL VOTE

DATE 1-30-07 BILL NO. 327 NUMBER \_\_\_\_\_

MOTION: Do Pass

NAME	AYE	NO
SEN. LYNDA MOSS (D)		✓
SEN. DAN McGEE (R)	✓	
SEN. CAROL WILLIAMS (D)		✓
SEN. CAROL JUNEAU (D)		✓
SEN. GERALD PEASE (D)		✓
SEN. JIM SHOCKLEY (R)		✓
SEN. AUBYN CURTISS (R)	✓	
SEN. JERRY O'NEIL (R)	✓	
SEN. LARRY JENT (D)		✓
SEN. GARY PERRY (R)	✓	
SEN. DAVID WANZENRIED (D)		✓
SEN. JESSE LASLOVICH (D) CHAIRMAN		✓
	4	8
VALENCIA LANE, LSD		
CAROL ANDERSEN, COMMITTEE SECRETARY		

*Failed - R - & Tabled*

**MONTANA STATE SENATE  
2007 LEGISLATURE**

**JUDICIARY**

**ROLL CALL VOTE**

DATE 1-30-07 BILL NO. SB 278 NUMBER SB027806 avl

MOTION: Do Pass as amended

NAME	AYE	NO
SEN. LYNDA MOSS (D)	✓	
SEN. DAN McGEE (R)		✓
SEN. CAROL WILLIAMS (D)	✓	
SEN. CAROL JUNEAU (D)	✓	
SEN. GERALD PEASE (D)	✓	
SEN. JIM SHOCKLEY (R)	✓	
SEN. AUBYN CURTISS (R)		✓
SEN. JERRY O'NEIL (R)		✓
SEN. LARRY JENT (D)	✓	
SEN. GARY PERRY (R)		✓
SEN. DAVID WANZENRIED (D)	✓	
SEN. JESSE LASLOVICH (D) CHAIRMAN	✓	
	8	4
VALENCIA LANE, LSD		
CAROL ANDERSEN, COMMITTEE SECRETARY		

## SENATE PROXY FORM

According to Senate Rule 30-70 ( 13) ( f ) , a committee member may vote by proxy using a standard form.

### PROXY VOTE

I, the undersigned, hereby authorize Senator Moss

to vote my proxy on any issue before the Senate \_\_\_\_\_

\_\_\_\_\_ Committee

held on \_\_\_\_\_, 2007.

SB 278 Amend yes  
SB 327 no  
SB 74 Amendment - yes  
      criminal yes  
      yes  
      on bus

Carol Jean  
SENATOR  
STATE OF MONTANA

## SENATE PROXY FORM

According to Senate Rule 30-70 (13) (f), a committee member may vote by proxy using a standard form.

### PROXY VOTE

I, the undersigned, hereby authorize Senator

Max

to vote my proxy on any issue before the Senate

Judiciary

Committee

held on

Jan 30, 2007

, 2007.

SB 327 no

SB 278 amended yes  
yes

SB 193 OS amended  
yes ✓

Carol Millan

SENATOR

STATE OF MONTANA

SB 322 amended yes ✓  
yes ✓

SB 74 amended yes - yes on bill  
amended no

# SENATE PROXY FORM

According to Senate Rule 30-70 ( 13 ) ( f ) , a committee member may vote by proxy using a standard form.

## PROXY VOTE

I, the undersigned, hereby authorize Senator MASS

to vote my proxy on any issue before the Senate JUDICIARY

\_\_\_\_\_ Committee

held on \_\_\_\_\_, 2007.

SB 327 no

SB 193 OS amended yes ✓  
yes ✓

SB 278 amend ✓  
yes

UNZENTIST

SENATOR  
STATE OF MONTANA

SB 322 amended yes ✓  
yes ✓

SB 74 amended no  
amended no

yes on Rules



**MONTANA STATE SENATE  
2007 LEGISLATURE**

**JUDICIARY**

**VISITOR REGISTER**

DATE 1-30-07

BILLS BEING HEARD TODAY SB 322, SB 294, SB 327  
SB 330

**PLEASE PRINT**

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Paul Grimstad		DOCS-MHP	SB330		X
Greg Van Housen	442-0230		SB 330		X
R. R. Burles	444-4077	DPHMB	SB 294	X	
Janna Taylor	444-4856	HB 11	SB 322	X	
Tom Sherman	1675-4051		SB 322	X	
V. Lianne Fwals	457-5343	SB 327	SB 327	X	
Sinda Jackson	756-8344	SB 327 self	SB 327	X	
Jean Stoker	442-6036	SB 327 Curves	327	X	
Christi Bales	442-7462	Self	SB 327	X	
Jerry Keck	444-1555	Dept. of Labor	SB 327		X
Sinda Jackson	756-8344	Teresa Haines owner Valley Fitness for women	SB 327	X	
Magulene Gunnmark	2-0230	AIA	SB 330		X
Dwight Easton	240-5010	Farmers Ins Grp.	SB 330		X
Andrea Olsen		MTLA	SB 327		X
FRANK COTE	3-9070	FUMIC	SB 330		X
BARRY STAN	442-6600	MMCA	SB 330		X

**PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY**

Amendments to Senate Bill No. 193  
1st Reading Copy

~~Requested by Senator Jim Shockley~~

For the Senate Judiciary Committee

Prepared by Valencia Lane  
January 30, 2007 (12:44pm)

1. Title, line 6.

**Following:** "HOME;"

**Insert:** "REQUIRING THE AFFIDAVIT TO BE PROVIDED TO THE PARENTS AT  
THE SAME TIME, IF POSSIBLE;"

2. Page 2, line 11.

**Following:** "of the"

**Insert:** "emergency"

**Following:** "attorney"

**Insert:** "and provide a copy of the affidavit to the parents or  
guardian, if possible,"

3. Page 2, line 12.

**Following:** "the"

**Insert:** "emergency"

4. Page 2, line 13.

**Following:** "holidays, of"

**Insert:** "the"

**Following:** "emergency"

**Strike:** "placement"

**Insert:** "removal"

- END -

Amendments to Senate Bill No. 74  
1st Reading Copy

For the Senate Judiciary Committee

Prepared by Valencia Lane  
January 30, 2007 (2:57pm)

1. Page 2, line 12.

**Following:** line 11

**Insert:** "(5) This part does not apply to a person who makes less than four loans a year and complies with the provisions of Title 31, chapter 1, part 1."

2. Page 3, line 7.

**Following:** "suspension --"

**Insert:** "unlicensed activity --"

3. Page 3, line 25.

**Following:** "justified the"

**Strike:** "department refusing"

**Insert:** "department's refusal"

- END -



Amendments to Senate Bill No. 322  
1st Reading Copy

Requested by Senator Jim Shockley

For the Senate Judiciary Committee

Prepared by Valencia Lane  
January 30, 2007 (2:33pm)

1. Title, line 7.

**Following:** "YEARS"

**Insert:** "IN CERTAIN CASES"

2. Page 2, line 3.

**Following:** "years"

**Insert:** "if the offender received a felony conviction under 61-7-103"

3. Page 2, line 18.

**Following:** "(2)"

**Insert:** "(a)"

**Strike:** "A"

**Insert:** "Except as provided in subsection (2)(b), a"

4. Page 2, line 19.

**Following:** "imprisonment"

**Strike:** "in the state prison"

**Following:** "term"

**Insert:** "of"

5. Page 2, line 19 through line 20.

**Following:** "year" on line 19

**Strike:** remainder of line 19 through "years" on line 20

**Insert:** "less than 30 days or more than 1 year"

6. Page 2, line 20.

**Following:** "\$~~5,000~~"

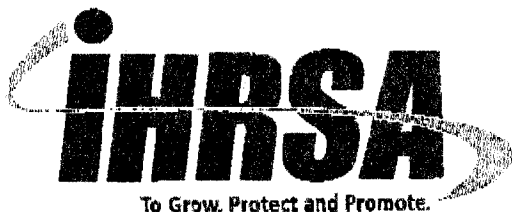
**Strike:** "in an amount not to exceed \$50,000"

**Insert:** "of not less than \$100 or more than \$5,000"

7. Page 2, line 22.

**Following:** line 21

**Insert:** "(b) If the accident resulted in serious bodily injury or death of any person, a driver failing to stop or to comply with the requirements of subsection (1) shall upon conviction be punished by imprisonment in the state prison for a term of not less than 1 year or more than 10 years, by a fine in an amount not to exceed \$50,000, or by both fine and imprisonment."



**International  
Health, Racquet &  
Sportsclub Association**

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## **FAX MESSAGE**

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To: Carol Anderson

Fax: 406-444-4875

From: Amy Bantham

Date: 1/30/07

Subject: Testimony for Senate Bill 327

Number of Pages (including this cover page): 2

Attached please find written testimony on behalf of the International Health, Racquet and Sportsclub Association for Senate Bill 327, which is scheduled for a hearing in the Senate Judiciary Committee.

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**263 Summer Street, Boston, Massachusetts 02210 USA**  
**(800) 228-4772 USA & Canada • (617) 951-0055 • Fax: (617) 951-0056**  
**E-Mail: [info@ihrsa.org](mailto:info@ihrsa.org) • Website: [www.ihrsa.org](http://www.ihrsa.org)**

## **The Committee on Judiciary**

### **Bill 327**

**Written Testimony of Joe Moore, Executive Director  
International Health, Racquet & Sportsclub Association (IHRSA)**

**January 30, 2007**

Members of the Committee, thank you for the opportunity to submit testimony on Senate Bill 327, "An Act allowing a fitness center or health club to offer its services exclusively to members of one sex." I regret that I cannot be in Montana today to offer this testimony in person.

My name is Joe Moore, I am President of the International Health, Racquet & Sportsclub Association (IHRSA), the leader in education, research and advocacy for the health and fitness industry. We represent 25 health clubs throughout Montana - 7500 worldwide - and we strongly support this legislation.

IHRSA's position is that health clubs should be allowed to operate single-gender facilities as there is a legitimate gender-based privacy interest that needs to be protected and there is no overriding public policy that necessitates the inclusion of a particular gender in this setting. To date, several state legislatures have taken the same position and passed bills to protect the operation of these clubs.

As scientists continue to issue dire warnings of the dangers of obesity and encourage everyone to exercise, single-gender clubs tend to attract individuals who normally would not join a co-ed health club. For example, many women who suffer from health conditions, especially older ones, feel more comfortable exercising in a single-gender atmosphere. The feeling is even more pronounced among women who have had mastectomies, endured abuse, or have struggled with obesity. Single-gender clubs are also very popular with older and/or overweight men.

Critics often dismiss single-gender fitness centers by comparing them with the social clubs that provided generations of males with exclusive access to employment opportunities, business contacts, and prospective clients. Exercise rooms are not social clubs, and we oppose any measure that would allow clubs to exclude men or women from non-fitness areas: meeting rooms, cafes, foyers, etc. Furthermore, society already makes several common sense exceptions for single-gender facilities: battered women's shelters, rape crisis centers, bathrooms, showers, locker rooms, etc.

Again, thank you for the opportunity to submit testimony on this important issue. We are grateful for the committee's willingness to consider this bill, and would be more than happy to assist the committee in any way. If you have any questions, please contact me at 800-228-4772 or contact our government relations manager, Amy Bantham, at [aeb@ihrsa.org](mailto:aeb@ihrsa.org).